

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES M. UPTHEGROVE,

Plaintiff,

v.

MMHI MEDICAL DIRECTOR, et al.

Defendants.

ORDER

Case No. 20-cv-927-bbc

JAMES M. UPTHEGROVE,

Plaintiff,

v.

MENDOTA MEDICAL DIRECTORS, et al.

Defendants.

ORDER

Case No. 20-cv-975-bbc

Plaintiff James M. Upthegrove, a patient at Mendota Mental Health Institution, has submitted a resident account statement in support of the pending motions to proceed without prepayment of the filing fee. This court uses one method for determining the indigent status of all institutionalized persons, even those like plaintiff who are not subject to the 1996 Prisoner Litigation Reform Act.

After considering the motion and supporting documentation, the court concludes that plaintiff qualifies for indigent status. Using information for the relevant time-period from plaintiff's resident account statement, I calculate plaintiff's initial partial filing fees to be \$13.89 for each case. For these cases to proceed, plaintiff must submit these amounts on or before November 18, 2020.

ORDER

IT IS ORDERED that:

1. The motions filed by plaintiff James M. Upthegrove for leave to proceed without prepayment of the filing fee are GRANTED. Plaintiff is assessed \$13.89 as an initial partial payment of the \$350.00 fee for filing each case as an indigent litigant. Plaintiff shall submit a check or money order made payable to the “Clerk of Court” in the amounts of \$13.89 for each case (or one check in the amount \$27.78) on or before November 18, 2020. If plaintiff fails to comply as directed or show cause of failure to do so, the court will assume that plaintiff does not wish to proceed and the case(s) will be dismissed without prejudice to plaintiff filing the case(s) at a later date.

2. No further action will be taken in these cases until the clerk’s office receives plaintiff’s initial partial filing fee(s) as directed above and the court has screened the complaint(s) as required by 28 U.S.C. § 1915(e)(2). Once the screening process is complete, separate orders will issue.

Entered this 27th day of October, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge